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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,722	05/08/2001	Theodore F. Rabenko	41748/CAG/B600	3641

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CHRISTIE, PARKER & HALE, LLP
PO BOX 7068
PASADENA, CA 91109-7068

EXAMINER

SHAND, ROBERTA A

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

RU

Office Action Summary	Application No. 09/851,722	Applicant(s) RABENKO ET AL	
	Examiner Roberta A. Shand	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Objections

1. Claim 1 is objected to because of the following informalities: in line 2, a plurality of media terminal adapters is coupled to a **first telephone line**, and in line 4 an analog telephone is coupled to a **second telephone line**. However in lines 14-15, the analog telephone is said to be on the **first telephone line**, and in lines 17-18 the media terminal adapter is said to be on the **second telephone line**. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen (U.S. 2001/0030950 A1).

4. Regarding claims 1 and 11, Chen teaches (fig. 3) a communications system, comprising: a plurality of media terminal adapters (14, 16) coupled to a first telephone line (line from HPNA); a second telephone line (PSTN); an analog telephone (it is inherent in Chen's system that analog phones are connected to the PSTN) coupled to the second telephone line; and a gateway (34) coupled to the first and second telephone lines and an IP network (24), and configured to exchange voice and data packets between a network and each of the media

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terminal adapters over the first telephone line (line from HPNA) and the analog telephone over the second telephone line (PSTN), wherein the gateway receives a packet payload and determines if the packet is voice or data, if the packet is voice the gateway further determines if the voice is destined for the analog telephone (phone via the PSTN) or a media terminal adapter (VoIP phone via the HPNA, paragraph 65), if the voice packet is destined for the analog telephone, the gateway depacketizes the voice packet, generates a voice signal and transmits it to the analog telephone, if the packet is destined for the media terminal adapter the gateway reformats the packet and transmits the packet to the media terminal adapter via the first telephone line (It is inherent in Chen's system that packets received at the gateway are reformatted and processed for the appropriate protocol such as analog, fig. 3, 48 or VoIP, paragraph 65. Chen's integrated phone-based home gateway is designed to interface broadband and narrow band communications including voice, and processing information from one or more networks).

5. Regarding claims 2 and 12, Chen teaches (paragraph 65) one of the media terminal adapters comprises a telephony device (VoIP phone).

6. Regarding claims 3 and 13, Chen teaches (paragraph 65) the telephony device is a telephone (VoIP phone).

7. Regarding claims 4 and 14, Chen teaches (fig. 3) the gateway is configured to exchange the voice and data packets between the network and the media terminal adapters by converting

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between a first format for the voice and data packets on the network and a second format for the voice and data packets on the telephone line, the first and second format being different.

8. Regarding claims 5, 15 and 17, Chen teaches (fig. 3) one of the media terminal adapters comprises a telephone responsive to the voice packets having the second format.

9. Regarding claims 6 and 18-20, Chen teaches (fig. 3) a voice processing engine configured to convert between the voice packets having the second format and an analog voice signal in the voice band frequency (Chen teaches digital to analog conversion and vice versa).

10. Regarding claim 7, Chen teaches (fig. 3) a telephone, and wherein one of the media terminal adapters comprises an adapter configured to exchange the voice packets on the telephone line having the second format with analog voice in a voice band frequency. It is inherent in Chen's system that a processing engine configured to convert between the voice packets having the second format and an analog voice signal in the voice band frequency exists because one of the media terminal adapters is a telephone.

11. Regarding claim 8, Chen teaches (paragraph 136) the gateway comprises a cable modem

12. Regarding claim 9, Chen teaches (fig. 3) the gateway comprises a first port (24) coupled to the telephone line (PSTN) and a second port (24), and an additional media terminal adapter (14, 16) coupled to the second port.

13. Regarding claim 10, Chen teaches (fig. 3) a voice and data processor configured to exchange the voice and data between the network and the additional media terminal adapter.

14. Regarding claim 16, Chen teaches (fig. 3) exchanging a second plurality of voice and data packets between the network and an additional media terminal adapter.

15. Regarding claim 17, Chen teaches (fig. 3) a communication system comprising: means for receiving a packet payload from an internet protocol network (24); means for determining if the received packet payload is voice packet or data packet (44); if the received packet payload is a voice packet, means for determining if the voice packet is destined for a telephone coupled to a first telephone line (phone via the PSTN) or a second network coupled to second telephone line (network connected via the HPNA, paragraph 65), and having a plurality of media adapter terminals (14, 16, VoIP phone); means for depacketizing the voice packet, means for generating an analog voice signal, and means for transmitting the analog voice signal over the first phone line (PSTN) to the telephone if the voice packet is destined for the telephone, and means for reformatting the voice packet and transmitting the reformatted voice packet over the second phone line to the second network, if the voice packet is destined for the second network. (It is inherent in Chen's system that packets received at the gateway are reformatted and processed for the appropriate protocol such as analog, fig. 3, 48 or VoIP, paragraph 65. Chen's integrated phone-based home gateway is designed to interface broadband and narrow band communications including voice, and processing information from one or more networks).

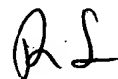
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Conclusion

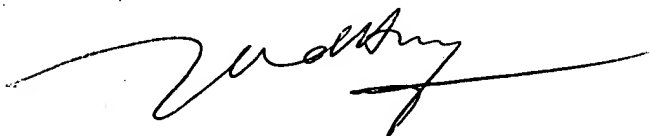
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Roberta A Shand
Examiner
Art Unit 2616



HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600